

Message

**From:** Hurlid, Kathy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=2F3B04131F1145FCB4CCF5B0A64C1AC4-KHURLD]  
**Sent:** 3/20/2020 1:45:28 PM  
**To:** Shamet, Stefania [Shamet.Stefania@epa.gov]  
**Subject:** RE: 404g & ESA

## Ex. 5 Deliberative Process (DP)

**From:** Shamet, Stefania <Shamet.Stefania@epa.gov>  
**Sent:** Friday, March 20, 2020 9:27 AM  
**To:** Hurlid, Kathy <Hurlid.Kathy@epa.gov>  
**Subject:** RE: 404g & ESA

You didn't ask my "legal" position, so I didn't give it. For what it's worth, if Cathy turns to me and asks for my legal recommendation, it would be

Ex. 5 AC/DP

## Ex. 5 AC/DP

**From:** Hurlid, Kathy <Hurlid.Kathy@epa.gov>  
**Sent:** Friday, March 20, 2020 9:20 AM  
**To:** Shamet, Stefania <Shamet.Stefania@epa.gov>  
**Subject:** RE: 404g & ESA

Understood. I'll look to see what I can do. But in truth,

Ex. 5 Deliberative Process (DP)

## Ex. 5 Deliberative Process (DP)

**From:** Shamet, Stefania <Shamet.Stefania@epa.gov>  
**Sent:** Friday, March 20, 2020 8:53 AM  
**To:** Hurlid, Kathy <Hurlid.Kathy@epa.gov>  
**Subject:** RE: 404g & ESA

You may be right, but Cathy's current job can only be described as walking into a buzzsaw, for reasons I am happy to chat about. Not clear to me what substance she would have retained from her detail a couple of years ago beyond the fact that it was discussed.

**From:** Hurlid, Kathy <Hurlid.Kathy@epa.gov>  
**Sent:** Friday, March 20, 2020 8:34 AM  
**To:** Shamet, Stefania <Shamet.Stefania@epa.gov>; Chemerys, Ruth <Chemerys.Ruth@epa.gov>  
**Cc:** Kelly, Stephanie <kelly.stephanie@epa.gov>; Lapp, Jeffrey <lapp.jeffrey@epa.gov>  
**Subject:** Re: 404g & ESA

Mindy rewrote this to track the others. I am making changes today as yesterday was Stephanie's last day on detail with us☺.

I will look to try to incorporate your comments as I do so. If I can't I may give prep talking points to you all.

Cathy may not be as unfamiliar with 404g and esa as you think. She did the rotation here at HQ and I spent a bit of time describing the program which included no consultation discussions.

Thanks for your thoughts and as always your assistance here. - Kathy

Sent from my iPhone

On Mar 20, 2020, at 8:08 AM, Shamet, Stefania <[Shamet.Stefania@epa.gov](mailto:Shamet.Stefania@epa.gov)> wrote:

Hi Kathy & Stephanie:

Applying Murphy's Law, I started reviewing the materials for the 2<sup>nd</sup> options selection so that we can pre-brief Cathy Libertz. I went into the subfolder for Mindy's review, figuring those were the papers that are closest to "final." After going over the ESA materials multiple times, I cannot imagine how we are going brief Cathy using those without getting her very frustrated. In a perfect world,

Ex. 5 Deliberative Process (DP)

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Ex. 5 Deliberative Process (DP) I am happy to help re-draft if that would be useful.

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*Stefania D. Shamet*

Senior Assistant Regional Counsel  
U.S. Environmental Protection Agency  
Region III  
1650 Arch Street (3RC20)  
Philadelphia, PA 19103-2029

Phone: (215) 814-2682

Email: [shamet.stefania@epa.gov](mailto:shamet.stefania@epa.gov)